

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

FILED  
NOV 07 2018  
Clerk, U.S. Courts  
District Of Montana  
Missoula Division

ZACHARY WOOTEN,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a  
Delaware Corporation,

Defendant.

CV 16-139-M-DLC

ORDER TO ENTER  
JUDGMENT

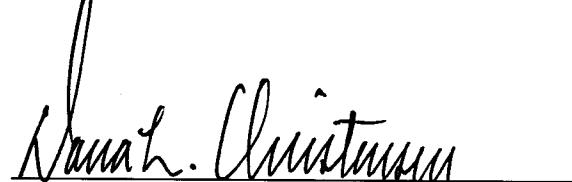
The Clerk of Court is HEREBY ORDERED to enter Judgment in accordance with the Jury's verdicts (Docs. 288; 290) dated November 5, 2018, as follows:

1. The Clerk of Court shall enter judgment against Plaintiff and in favor of Defendant on Plaintiff's Locomotive Inspection Act claim (Claim II).
2. The Clerk of Court shall enter judgment against Defendant and in favor of Plaintiff on Plaintiff's Federal Employers' Liability Act claim (Claim I) for lost wages and benefits to date of trial in the amount of \$13,177.50, reduced to reflect Plaintiff's contributory negligence of 25%, as found by the jury.
3. The Clerk of Court shall enter judgment against Defendant and in favor of Plaintiff on Plaintiff's Federal Rail Safety Act claim (Claim III) for lost wages and benefits in the future, reduced to present value in the amount of

\$1,407,978, for mental and emotional humiliation or pain and anguish in the amount of \$500,000, and for punitive damages in the amount of \$249,999.

4. The total judgment entered against Defendant is \$2,171,154.50.

DATED this 7<sup>th</sup> day of November, 2018.

  
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Dana L. Christensen, Chief Judge  
United States District Court